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Attorneys for Defendants Diamond Parking Inc.
 and Diamond Parking Services, LLC

IN THE UNITED STATES DISTRICT COURT
 THE NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION

ROBERT TERUEL, individually; and on
 behalf of all those similarly situated,

Plaintiffs,

v.

DIAMOND PARKING INC., a Washington
 corporation; DIAMOND PARKING
 SERVICES, LLC, a Washington Limited
 Liability Company; and DOES 1 through 500,
 inclusive,

Defendants.

Case No. 07-3388

**DECLARATION OF JAN SUMNER IN
 SUPPORT OF STIPULATION OF
 DISMISSAL OF INDIVIDUAL ACTION
 AND CLASS ACTION CLAIMS**

**(Stipulation For Dismissal of Individual
 Action and Class Action Claims; [Proposed]
 Order; and Declaration of a. Nicholas
 Georggin, Esq. filed and served concurrently
 herewith)**

I, Jan Sumner, declare as follows:

1. I am employed as Vice-President of Human Resources by Diamond Paymaster LLC, a Washington Limited Liability Company with a principal place of business in Washington and wholly-owned subsidiary of Defendant Diamond Parking, Inc. The other named Defendant, Diamond Parking Services, LLC, does not employ any individuals. The two entities named as Defendants in Plaintiff's Complaint are collectively referred to as "Defendants" or "Diamond Parking." I am familiar with the facts set forth in this declaration and could and would testify competently to them.

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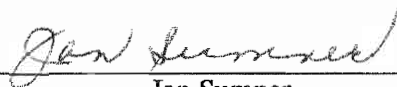
2. As Vice-President of Human Resources, I am fully familiar with the payroll and personnel practices and records maintained for Defendants' employees in California. While employed by Diamond Parking, Plaintiff Robert Teruel worked in Diamond Parking's facilities in Long Beach, California.

3. Plaintiff was employed by Diamond Parking as an Area Supervisor from September 19, 2005 until May 3, 2006. As an Area Supervisor, he was responsible for overseeing the operations of certain Diamond Parking lots and supervising the couple dozen Checkers, Attendants/Cashiers and Valets who worked in the lots. He was responsible for hiring, supervising, retaining, ensuring the professional development of, and terminating (when necessary) direct reports. Diamond Parking classified his position as exempt from state and federal overtime pay requirements under the "executive" exemption.

4. Diamond Parking currently employs only one Area Supervisor in the State of California.

5. Only twelve persons held the position of Area Supervisor in the State of California during the proposed class period (May 21, 2003 to present). These twelve individuals had various job duties and worked in discrete locations throughout the State of California.

I declare under the penalty of perjury under the laws of the United States that the foregoing is true and correct and that this declaration is executed on July 11, 2008 at Seattle, Washington.



Jan Sumner